

AMENDED IN ASSEMBLY FEBRUARY 22, 2000

AMENDED IN ASSEMBLY JULY 8, 1999

AMENDED IN SENATE MAY 6, 1999

AMENDED IN SENATE MARCH 25, 1999

SENATE BILL

No. 552

Introduced by Senator Kelley

February 19, 1999

~~An act to add and repeal Sections 128 and 129 of the Metropolitan Water District Act (Chapter 209 of the Statutes of 1969), relating to metropolitan water districts. An act to amend Section 5.1 of the County Water Authority Act (Chapter 545 of the Statutes of 1943), relating to county water authorities.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 552, as amended, Kelley. ~~Metropolitan Water District of Southern California~~ County water authorities.

The County Water Authority Act provides for the formation of county water authorities and grants to those authorities specified power, including the authority to use its water, works, facilities, improvements, and property to provide, generate, and deliver hydroelectric power. Existing law provides for the restructuring of the electrical services industry and, in this connection, provides for the creation of a prescribed Power Exchange.

This bill would authorize an authority to sell hydroelectric power generated by that authority through the Power Exchange.

~~(1) Existing law provides for the creation of metropolitan water districts and requires a metropolitan water district to exercise its powers by and through a board of directors.~~

~~This bill would require the Metropolitan Water District of Southern California, on or before February 1, 2000, to submit to the appropriate policy committees of the Legislature a report that describes all deficiencies noted in a prescribed audit and the actions that the district has taken, or is taking, to correct each of those deficiencies. The bill would require the district, on or before February 1, 2000, and each February 1, until January 1, 2005, or as otherwise prescribed, to submit to the appropriate policy committees of the Legislature a specified report concerning the district's Inland Feeder Project. Because these provisions would impose additional responsibilities upon the district, the bill would impose a state-mandated local program.~~

~~(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes *no*.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 128 is added to the Metropolitan~~
 2 ~~SECTION 1. Section 5.1 of the County Water~~
 3 ~~Authority Act (Chapter 545 of the Statutes of 1943) is~~
 4 ~~amended to read:~~
 5 ~~Sec. 5.1. (a) Any authority incorporated as herein~~
 6 ~~provided shall have the power to under this act may~~
 7 ~~utilize any part of its water, and any parts of its works,~~
 8 ~~facilities, improvements, and property used for the~~
 9 ~~development, storage, and or transportation of water, to~~
 10 ~~provide, generate, and deliver hydroelectric power, and~~

1 may acquire, construct, operate, and maintain any and all
2 works, facilities, improvements, and property necessary
3 or convenient for ~~such~~ *that* utilization.

4 (b) Any authority incorporated ~~as herein provided~~
5 ~~shall have the power~~ *(1) pursuant under this act may do*
6 *any of the following:*

7 *(1) Pursuant to contract, to provide, sell, and deliver*
8 *hydroelectric power to the United States of America or to*
9 *any board, department, or agency thereof, to the State of*
10 *California state for the purposes of the State Water*
11 *Development System, and to any public agency, private*
12 *corporation, or any other person or entity, or any*
13 *combination thereof, engaged in the sale of electric*
14 *power at retail; or (2) to use.*

15 *(2) Use all or any part of such hydroelectric power*
16 *directly, or indirectly through exchange, in exercising*
17 *any other power of an authority.*

18 ~~For~~

19 *(3) Sell hydroelectric power generated pursuant to*
20 *subdivision (a) through the Power Exchange, as*
21 *described in Chapter 2.3 (commencing with Section 330)*
22 *of Part 1 of Division 1 of the Public Utilities Code.*

23 *(4) For the purposes of this subdivision, "public*
24 *agency" means a city, county, city and county, district,*
25 *local agency, public authority, or public corporation.*

26 ~~Water District Act (Chapter 209 of the Statutes of 1969),~~
27 ~~to read:~~

28 ~~Sec. 128. (a) Notwithstanding Section 7550.5 of the~~
29 ~~Government Code, on or before February 1, 2000, the~~
30 ~~Metropolitan Water District of Southern California shall~~
31 ~~submit to the appropriate policy committees of the~~
32 ~~Legislature a report that describes all deficiencies noted~~
33 ~~in the audit conducted in the spring of 1999 on cost~~
34 ~~overruns on the Eastside Reservoir Project, and the~~
35 ~~actions that the district has taken, or is taking, to correct~~
36 ~~each of those deficiencies.~~

37 ~~(b) This section shall remain in effect only until~~
38 ~~January 1, 2001, and as of that date is repealed, unless a~~
39 ~~later enacted statute, that is enacted, before January 1,~~
40 ~~2001, deletes or extends that date.~~

~~SEC. 2. Section 129 is added to the Metropolitan Water District Act (Chapter 209 of the Statutes of 1969), to read:~~

~~Sec. 129. (a) For purposes of this section, the “project” is the Inland Feeder Project of the Metropolitan Water District of Southern California.~~

~~(b) Notwithstanding Section 7550.5 of the Government Code, on or before February 1, 2000, and each February 1 thereafter until completion of the project, the Metropolitan Water District of Southern California shall submit to the appropriate policy committees of the Legislature, a report that describes all of the following:~~

~~(1) The progress made toward completion of the project.~~

~~(2) All expenditures of funds made for the project.~~

~~(3) Any variances between budgeted costs and actual costs for the project.~~

~~(c) This section shall remain in effect only until January 1, 2005, and as of that date is repealed, unless a later enacted statute, that is enacted before January 2005, deletes or extends that date.~~

~~SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.~~